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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,056	03/05/2001	Yutaka Sato	7217/64048	3522

7590 03/21/2002
COOPER & DUNHAM LLP
1185 Avenue of the Americas
New York, NY 10036

EXAMINER

FIGUEROA, FELIX O

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 03/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,056

Applicant(s)

SATO ET AL.

Examiner

Felix O. Figueroa

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the alternative of the pair of connecting pins being provided in the plug connector, as required by claims 1, 11 and 15 and 21, must be shown or the features canceled from the claims. No new matter should be entered.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the different shapes on the audio signal output terminals, as required by claim 32, must be shown or the features canceled from the claims. No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The claims are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 line 3, "each" should be deleted; and in line 4, "portion" should be --portions--. In line 14, "are" should be --is--. In line 15, "each" should be deleted; and "a pair" should be --said pair--. In line 16, --pair of-- should be inserted after "said". In lines 17 and 19, "an other" should be --another--. In line 18, "and" (first occurrence) should be --or--.

Claim 1 recites "a plug connector incorporating two conductor member" in line 9, and "another of said plug connector and said socket connector is provided with a pair of coupling holes" in lines 19-20. It appears that the conductor members and the coupling holes are the same part of the invention. Correction is required.

The scope of claims 1 is indefinite because there is an inconsistency within the claims. Claim 1, initially, indicates that the subcombination, a connector (using a connecting cable and a plug connector), is being claimed. However, later claim 1 contains positive limitations directed toward a connector socket, suggesting that applicant intends to claim the combination of the connector and the connector socket. Applicant is required to clarify what subject matter the claims are intended to be drawn to and the language of the claim must be amended to be consistent with this intent.

In claim 2 line 2, "for two" should be changed to --at both--.

The scope of claims 3 and 4 is indefinite because there is an inconsistency within the claims. Claim 1, from which they depend, indicates that the subcombination, a

Art Unit: 2833

connector, is being claimed. However, later claims 3 and 4 contain positive limitations directed toward the first and second apparatuses, suggesting that applicant intends to claim the combination of the connectors and the first and second apparatuses.

Applicant is required to clarify what subject matter the claims are intended to be drawn to and the language of the claim must be amended to be consistent with this intent.

In claim 5 line 10, "each" should be deleted.

Claim 11 recites "two conductor member" in line 5, and "a pair of coupling holes" in line 14. It appears that the conductor members and the coupling holes are the same part of the invention. Correction is required. In line 11, "an other" should be --another--.

Claim 15 recites "two conductor member" in line 5, and "a pair of coupling holes" in line 14. It appears that the conductor members and the coupling holes are the same part of the invention. Correction is required.

Claim 21 recites "two conductor member" in line 5, and "a pair of coupling holes" in line 16. It appears that the conductor members and the coupling holes are the same part of the invention. Correction is required. In line 15, "an other" should be --another--.

In claim 30 line 9, "an other" should be --another--. Lines 9 and 10, appear to be missing text.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2833

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Glover (US 3,824,524).

Glover discloses a connector using a connecting cable member (5) having two conductor portions having a pair of polarities and an insulating sheathing member, one end of the connecting cable member conforming to a structure of a plug connector (1) incorporating two conductor members (27) connected to the two conductor portions; a socket connector (3) coupled with the plug connector and provided in one of a first or second apparatus, the socket connector being provided with a pair of connecting pins (35) bearing the pair of polarities; and position controlling means (see Fig.7); the plug connector being provided with a pair of coupling holes (27); and position controlling means coupling portion (see Fig.6).

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glover in view of Lee (US 5,984,717).

Glover discloses substantially the claimed invention except for plug connectors at both ends of the cable. Lee teaches a connector comprising a cable (22) having plug connectors at both ends to provide uniformity and facilitate the connection process. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a plug connector at both ends of the cable member of Glover, as taught by Lee, to provide uniformity and facilitate the connection process.

Regarding claim 3 and 4, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the connector to connect different apparatuses, such as electronic apparatuses and speakers.

Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Gefvert (US 5,850,457).

Gefvert discloses a multi-channel audio system comprising an electronic apparatus (100) provided with at least four audio signal output terminals (see Fig.8B) for a plurality of channels; a plurality of speakers (102,104,106,108); and a plurality of connecting cable members (see Fig.8B), each incorporating a pair of conductor members bearing a pair of polarities and sheathed by one of a plurality of insulating sheathing members, each of the audio signal output terminals being arranged corresponding to positions of the plurality of speakers, the speakers being arranged corresponding to the plurality of channels.

Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gefvert in view of Ruzicka (US 6,118,876).

Gefvert discloses substantially the claimed invention except for the plurality of colors on the signal output terminals. Ruzicka discloses (in col.7 lines 28-33) the use of an audio system having audio signal output terminals being distinguished by one of a plurality of colors for enabling the plurality of channels to be discernible; a plurality of connecting cable members distinguished by one of the plurality of colors corresponding to a color distribution of the audio signal output terminals; and the speakers being distinguished by corresponding colors to facilitate installation process. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the terminals and cable members of Gefvert with a plurality of colors, as taught by Ruzicka, to facilitate installation process. Regarding claims 8 and 9, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the distinguishing colors by one of different known methods, such as using colored labels and sheets.

Claims 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gefvert and Ruzicka and further in view of Glover.

Gefvert and Ruzicka disclose substantially the claimed invention except for the connector structure of the cable. Glover teaches a connector structure on a cable (see discussion on claim 1) to ensure correct connection. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a connector structure, as taught by Glover, to ensure correct connection.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gefvert and Ruzicka and further in view of Glover and Lee.

See discussion on claim 2.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gefvert and Ruzicka and further in view Siems et al. (US 5,470,253).

Gefvert and Ruzicka disclose substantially the claimed invention except for the use of contractile tubes. Siems teaches the use of thermally contractile tubes of different colors secure to cable members to facilitate installation and connection. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use thermally contractile tubes of different colors secure to cable members, as taught by Siems, to facilitate installation and connection.

Claims 16, 17 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ruzicka.

Ruzicka discloses (in col.7 lines 28-33) a multi-channel audio system comprising an electronic apparatus with a plurality of audio signal output terminals; a plurality of speakers; a plurality of connecting cable members, the plurality of connecting cable members provided with a specific color corresponding to the color provided on the plurality of audio signal output terminals. Ruzicka also discloses each of the plurality of speaker terminals being distinguished with a specific color in correspondence with the colors of the plurality of audio signal output terminals.

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruzicka.

Ruzicka discloses substantially the claimed invention except for the specific methods of providing the distinguishing colors. However, it would have been obvious to

Art Unit: 2833

one having ordinary skill in the art at the time the invention was made to provide the distinguishing colors by one of different known methods, such as using colored labels and sheets.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ruzicka in view of Glover.

Ruzicka disclose substantially the claimed invention except for the connector structure of the cable members. Glover teaches a connector structure on a cable (see discussion on claim 1) to ensure correct connection. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a connector structure, as taught by Glover, to ensure correct connection.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gefvert and Ruzicka and further in view of Glover and Lee.

See discussion on claim 2.

Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruzicka and further in view Siems et al. (US 5,470,253).

Ruzicka discloses substantially the claimed invention except for the use of contractile tubes. Siems teaches the use of thermally contractile tubes of different colors secure to cable members to facilitate installation and connection. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use thermally contractile tubes of different colors secure to cable members, as taught by Siems, to facilitate installation and connection.

Claim 25 is rejected under 35 U.S.C. 102(b) as being anticipated by Gefvert.

Gefvert discloses an electronic apparatus (100) comprising a plurality of audio signal output terminals (see Fig.8B) corresponding to at least four of a plurality of channels; each of the plurality of audio signal output terminals being disposed in correspondence with positions of a plurality of speakers (102,104,106,108), and each of the plurality of speakers disposed in correspondence with the plurality of channels.

Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gefvert in view of Ruzicka.

Gefvert discloses substantially the claimed invention except for the use of colors in the audio signal output terminals. Ruzicka discloses (in col.7 lines 28-33) the use of an audio system having audio signal output terminals being distinguished by one of a plurality of colors for enabling the plurality of channels to be discernible; a plurality of connecting cable members distinguished by one of the plurality of colors corresponding to a color distribution of the audio signal output terminals; and the speakers being distinguished by corresponding colors to facilitate installation process. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the terminals and cable members of Gefvert with a plurality of colors, as taught by Ruzicka, to facilitate installation process.

Claim 29 is rejected under 35 U.S.C. 102(b) as being anticipated by Glover.

Glover discloses a connecting cable member (5) having two conductor portions having a pair of polarities and an insulating sheathing member, one end of the connecting cable member conforming to a structure of a connector structure (1) incorporating two conductor members (27) connected to the two conductor portions; the

Art Unit: 2833

connector structure bearing one of a plurality of predetermined colors; and position controlling means (see Fig.7). Glover discloses substantially the claimed invention except for plug connectors at both ends of the cable. Lee teaches a connector comprising a cable (22) having plug connectors at both ends to provide uniformity and facilitate the connection process. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a plug connector at both ends of the cable member of Glover, as taught by Lee, to provide uniformity and facilitate the connection process.

Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glover in view of Siems et al.

Glover discloses a connecting cable member (5) having two conductor portions having a pair of polarities and an insulating sheathing member, one end of the connecting cable member conforming to a structure of a connector structure (1) incorporating two conductor members (27) connected to the two conductor portions; the connector structure bearing one of a plurality of predetermined colors. Glover discloses substantially the claimed invention except for the use of contractile tubes. Siems teaches the use of thermally contractile tubes of different colors secure to cable members to facilitate installation and connection. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use thermally contractile tubes of different colors secure to cable members, as taught by Siems, to facilitate installation and connection.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gefvert.

Art Unit: 2833

Gefvert discloses substantially the claimed invention except for the different shapes of the terminals. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use different shapes on the terminals, since it has been held that rearranging parts of an invention involves only routine skill in the art.


In re Japikse, 86 USPQ 70.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (703) 308-0097. The examiner can normally be reached on Mon.-Fri., 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.


FELIX O. FIGUEROA
PRIMARY EXAMINER

ffr
March 18, 2002